

# **Exhibit A**

Claire Brunkens

HIGHLY CONFIDENTIAL  
New York, NY

July 22, 2005

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1 UNITED STATES DISTRICT COURT  
2 FOR THE DISTRICT OF MASSACHUSETTS  
3 CIVIL ACTION: 01-CV-12257-PBS  
4 MDL NO. 1456  
5 -----)  
6 IN RE PHARMACEUTICAL INDUSTRY )  
7 AVERAGE WHOLESALE PRICE )  
8 LITIGATION )  
9 -----)  
10 THIS DOCUMENT RELATES TO ALL CLASS ACTIONS )  
11 -----)

12 Friday, July 22, 2005

13 9:05 a.m.

14

15

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17 HIGHLY CONFIDENTIAL EXAMINATION BEFORE  
18 TRIAL of CLAIRE BRUNKEN, taken by the Class-Action  
19 Plaintiffs before Danielle Grant, a Certified  
20 Shorthand (Stenotype) Reporter and Notary Public  
21 within and for the State of New York.

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1 always done with all other customers, which was as  
2 a percentage off of WAC.

3 Q At RPR was there a standard  
4 relationship between the WAC and AWP for these  
5 various drugs?

6 A I believe it varied.

7 Q What was the range on which it varied?

8 A Twenty to 25 percent.

9 Q Some drugs the AWP was WAC plus 20 and  
10 others it was WAC plus 25?

11 A Right.

12 Q How about at Aventis, same question,  
13 was there some standard relationship?

14 A I don't know.

15 Q Were there any policies at RPR  
16 concerning AWP or AWP pricing?

17 A I can only speak for the contract area  
18 in that regard.

19 Q Okay. Tell me what you know about the  
20 contract area?

21 A Can you rephrase the question?

22 Q Were there any policies in the

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1 WAC, what data would you get in the presentation  
2 from the people proposing the price increase?

3 A In general that data would include  
4 competitor's pricing, history of competitor's  
5 price increases overtime, our own price increases  
6 over time.

7 Q Anything else?

8 A Reasons for variances from a standard  
9 type price increase.

10 Q I don't understand what you mean  
11 standard type price increase.

12 A In general pharmaceutical prices are  
13 increased over the course of time, and there may  
14 be an effort to try to control price increases to  
15 a level, not to exceed the consumer price index.  
16 There are a number of pharmaceutical companies who  
17 are committed to not increasing their average  
18 price over the CPI index.

19 Q Were RPR and Aventis among them?

20 A Yes.

21 Q What timeframe are you talking about  
22 for this commitment?